United Nations E/C.19/2006/6

Economic and Social Council

Distr.: General
7 March 2006

Original: English

Permanent Forum on Indigenous Issues
Fifth session
New York, 15-26 May 2006
Item 3 of the provisional agenda*
Special theme: Millennium Development Goals and indigenous peoples: redefining the Goals

Information received from the United Nations system

Note by the Secretariat

In its report on its fourth session, held from 16 to 27 May 2004, the Permanent Forum on Indigenous Issues identified proposals, objectives, recommendations and areas of possible future action and, recommended that States, organizations of the United Nations system and intergovernmental organizations, indigenous peoples and non-governmental organizations assist in their realization. Information received in this regard from non-governmental organizations is contained in the present note and addenda thereto.

* E/C.19/2006/1

06-26277 (E) 220306

International Labour Organization

Summary

The written submission of the International Labour Organization (ILO) to the United Nations Permanent Forum on Indigenous Issues at its fifth session outlines the current status of a number of ILO projects and programmes addressing indigenous issues. The present report has been coordinated by the Intersectoral Advisory Group on Indigenous Issues recently formed by ILO. It brings together information and inputs relevant to indigenous and tribal peoples from diverse programmes within ILO, focusing on those relevant to the redefinition of the Millennium Development Goals. Within the context of relevant sections of the report, there are also a number of suggestions and recommendations arising from the information therein.

Contents

		Paragraphs	Page
I.	Response to recommendations of the Forum addressed exclusively to particular agencies/funds/programmes/departments	1–7	3
II.	Responses to recommendations of the Forum addressed to one or more agencies or to the United Nations system	8–17	4
III.	Obstacles to the implementation of recommendations of the Forum and other policies relevant to indigenous peoples	18	6
IV.	Other significant information on recent policies, programmes or activities regarding indigenous issues within the International Labour Organization	19–43	7
V.	Information and suggestions regarding the special theme of the fifth session, "Millennium Development Goals and indigenous peoples: redefining the Goals"	44–90	13

I. Response to recommendations of the Forum addressed exclusively to particular agencies/ funds/programmes/departments

1. Below are brief responses to the recommendations of the Permanent Forum on Indigenous Issues contained in the report on its fourth session.[1]

Recommendation

(E/2005/43, para. 31)

2. This recommendation refers to several distinct priorities and processes. In the experience of the International Labour Organization (ILO), capacity-building implies a process of medium- and long-term interventions preceded by research and consultation to identify specific needs to be addressed by such capacity-building. This is the case both for indigenous communities and organizations and for the institutions that seek to improve their ability to address indigenous and tribal peoples. Indeed, the two types of capacity-building go hand-in-hand, since institutions must work in collaboration and consultation with indigenous peoples' organizations when addressing the challenges they face.

3. While workshops are useful in that they bring together multiple stakeholders, generate a shared understanding of indigenous concerns and enable actors to attend more effectively to indigenous development issues, care must be taken to ensure that they are not stand-alone events but part of ongoing and longer-term programmes. ILO is currently engaged in a number of needs identification and capacity-building activities that can contribute to capacity-building concerning the Millennium Development Goals (MDGs) as suggested in the Forum's recommendation. Needs identification activities in this regard involve a series of research projects, including:

(a) Analysis of 14 national poverty reduction strategy papers for their ethnic content;

(b) Three country studies on the participation of indigenous and tribal peoples in the development and implementation of national poverty reduction strategy papers, and indigenous perceptions of poverty;

(c) In-depth national consultations on poverty reduction strategy papers and decent work in Nepal;

(d) Five micro case studies on achieving the MDGs in selected indigenous communities in Bolivia, Cambodia, Cameroon, Guatemala and Nepal.

4. Such research deepens our understanding of, inter alia, capacity-building needs in a number of contexts, thus helping to outline strategies and priorities for working towards the inclusion of indigenous issues in the MDG processes. One of the overall objectives of such research from the international to the local level has been to identify the particular capacity-building needs of a range of specific actors, institutions, Governments and indigenous peoples' communities and organizations, that are key to achieving the MDGs.

5. With regard to capacity-building, ILO is engaged in medium- and long-term capacity-building at the international, national and local levels with the United

Nations and other multilateral agencies, Governments and indigenous peoples' organizations, including:

(a) At the national, provincial and community levels in Cambodia, in the context of a project on a rights-based approach to indigenous peoples' development;

(b) At the national level in Kenya, with a number of indigenous organizations;

(c) In Nepal, with the national umbrella organization of indigenous peoples and the Government of Nepal.

6. At the institutional level, and on the basis of its technical experience, ILO continues to organize capacity-building between United Nations agencies, non-governmental organizations (NGOs) and the multilateral donor community in order to assist those actors in developing tools to work effectively in concord with indigenous tribal peoples. Examples of such activities are:

(a) A technical seminar in October 2005 on development cooperation and indigenous and tribal peoples for representatives from agencies of the United Nations system, United Nations departments and donors, enabling different agencies faced with similar challenges in the field of indigenous rights to share their experiences;

(b) A training seminar in Turin, Italy, for key staff from ILO, United Nations agencies and donors. The training was intended to build upon the tools and competencies of those actors to address indigenous sustainable development issues;

(c) Building on the experiences of 2005, ILO training activities in 2006 will expand, and the technical seminar will again be hosted in October 2006.

7. All such activities, which are further detailed in section IV below, attest to the ongoing contribution of ILO to capacity-building for the sustainable development of indigenous communities and to the active participation of the organization in the MDG process.

II. Responses to recommendations of the Forum addressed to one or more agencies or to the United Nations system

8. Below are brief responses to the recommendations of the Forum that are of relevance to ILO. They are not extensive, but, where necessary, references to other sources of information are included. Most of the information pertaining to the recommendations is included under other subject headings in the present report to avoid duplication and to ensure proper contextualization.

Recommendation
(E/2005/43, para. 8)

9. ILO calls attention to the research and awareness-raising efforts it is undertaking in collaboration with the African Commission on Human and Peoples' Rights, which are outlined in paragraph 22 (b) below.

Recommendation

(E/2005/43, para. 15)

10. ILO compiles data on indigenous issues as a by-product of: country reporting on the application of the provisions of the ILO Convention concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries (Convention No. 107) of 1957, the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries (Convention No. 169) of 1989, and output from technical cooperation projects relating to indigenous issues undertaken with technical support from ILO (for example, on the rights of indigenous peoples or on forced labour). Those statistics are therefore not fully representative of all indigenous groups at either the country or global level. There are considerable gaps in the quantitative information available to ILO on indigenous and tribal peoples.

11. However, some work has been undertaken recently by the Project to Promote ILO Policy on Indigenous and Tribal Peoples. In this regard, three case studies on indigenous participation in poverty reduction strategy processes have been carried out in Cambodia, Cameroon and Nepal, in consultation with indigenous peoples. The main conclusions of those studies are outlined in paragraphs 53 to 61 below. Aside from those conclusions, however, the studies raised important concerns regarding indigenous and tribal peoples' perceptions of poverty, which are often quite different from those of the mainstream population.

12. The studies in Cambodia and Cameroon, for example, were based on in-depth consultations with a number of indigenous communities, and the following general commonalities concerning indigenous peoples' own indicators of poverty can be drawn from them:

(a) Indigenous peoples' perceptions of poverty are not static, but change according to the levels of their integration into mainstream society and the market economy as well as the specific problems of lack of access to land and resources that indigenous communities face;

(b) Lack of land and resource rights were cited as a major indicator of poverty by the communities consulted;

(c) Lack of recognition of the collective rights of indigenous peoples was also felt by the peoples concerned to be a hindrance to the design of effective and more appropriate ways of addressing their poverty situation;

(d) Lack of access to services (education, health) is an important indicator of poverty;

(e) Food security is key to indigenous peoples' own perceptions of poverty;

(f) Cultural poverty (with particular reference to the gradual erosion of traditional decision-making) was also highlighted as an important indicator of poverty;

(g) Lack of knowledge and information is also an important contributing factor to their situation of poverty.

13. The above conclusions constitute the results of consultations with specific indigenous communities and organizations. It must be highlighted, therefore, that further work needs to be done in this area in order to generate results that can be

more widely applicable. However, such studies can provide guidance for further work to develop indicators. It is of utmost importance that any development of indigenous-specific indicators must be based on consultations with the representatives of the communities and peoples concerned.

14. ILO is about to start a review of possible indicators concerning the economic activity and conditions of work of indigenous groups in the context of other projects that are about to begin. They will not yet be of general application, but may provide a basis for further work.

Recommendation
(E/2005/43, para. 16)

15. As mentioned above, capacity-building to address indigenous issues is a key part of the work of the ILO Project to Promote ILO Policy on Indigenous and Tribal Peoples (PRO 169). Institutional, regional and country specific capacity-building activities are outlined in section IV below.

Recommendation
(E/2005/43, para. 70)

16. ILO has funded the translation of the Indigenous and Tribal Peoples Convention No. 169 into several languages, including indigenous languages (available at http://www.ilo.org/indigenous). It is also foreseen that various training materials will be translated into indigenous languages for the purposes of country-level activities.

Recommendation
(E/2005/43, para. 73)

17. As outlined in paragraph 36 below, ILO provided support to the National Indian Foundation of Brazil in organizing the first International Symposium on Isolated Indigenous Peoples of the Amazon Region precisely to respond to the need to formulate common protection policies for isolated indigenous peoples.

III. Obstacles to the implementation of recommendations of the Forum and other policies relevant to indigenous peoples

Recommendation
(E/2005/43, para. 22)

18. For a discussion on the issues pertaining to the establishment of partnerships between international organizations and indigenous peoples, please see paragraphs 84 to 90 below. ILO operates on the basis of consultation and participation with indigenous and tribal peoples, but is also mindful of the challenges of working with small indigenous organizations, particularly in respect of the organizational gap that often exists between the international and the local levels. It is also important to bear in mind the problem of imposing the organizational logic of international organizations on indigenous peoples.

IV. Other significant information on recent policies, programmes or activities regarding indigenous issues within the International Labour Organization

19. Many of the activities outlined below are covered in further detail in the most recent *Newsletter on Indigenous Issues*, which is available on the ILO website at http://www.ilo.org/indigenous and in hard copy from PRO 169.

A. Intersectoral Advisory Group on Indigenous Issues

20. To ensure the coordination of the rights and poverty reduction activities of ILO departments addressing indigenous and tribal peoples, an advisory group was recently formed. In addition to enabling the development of an overall strategic framework for the work of ILO on issues concerning indigenous tribal peoples, the group aims to make more evident the linkages between those issues and the core areas of the work of ILO. For example, fundamental rights, poverty, child labour, forced/bonded labour, migration and discrimination activities are increasingly incorporating an indigenous and tribal peoples' rights agenda. As such, the advisory group plays an important role in the broader agenda of mainstreaming concerns related to indigenous tribal peoples into all areas of the work of ILO.

B. Project to Promote International Labour Organization Policy on Indigenous and Tribal Peoples

21. Priority areas and future strategies of the project are:

(a) **Staff training**: initial experiences in this area have been very positive, and the aim is to continue to build the capacity of ILO staff to address indigenous issues through continued training in 2006. In addition to interregional training, two regional activities will be held in Africa and Asia, where the needs are greatest;

(b) **Mainstreaming**: PRO 169 continues to identify and pursue entry points through ILO initiatives in other areas, for example under the Declaration on Fundamental Principles and Rights at Work and the International Programme to Eliminate Child Labour. As such, PRO 169 acts as the focal point for the ILO Intersectoral Advisory Group on Indigenous Issues (see para. 20 above);

(c) **Implementation**: while ILO Convention No. 169 provides a guiding framework for consultation and participation, there is a pressing need to examine the specific processes entailed in the implementation of its principles. In line with that objective, and as an initial step to developing guidelines for Governments, indigenous peoples and other relevant actors, PRO 169 will begin to document good practices in that area.

Project to Promote International Labour Organization Policy on Indigenous and Tribal Peoples work funded by the European Commission's Initiative for Democracy and Human Rights

22. PRO 169 has recently secured funding from the European Commission's Initiative for Democracy and Human Rights to cover a three-year work plan. It includes the following three components:

(a) **Exchange of experiences on the implementation of the principles of ILO Convention No. 169 on a global scale**: as a first step, regional consultations will be held with Governments and indigenous organizations in Africa, Asia and Latin America in order to identify partnerships for research on good practices related to the implementation of the principles of ILO Convention No. 169. The research will cover impact assessments; constitutional reform and the development of adequate institutional frameworks; self-management; land rights and natural resources; customary law; conflict prevention and resolution; development cooperation; employment and traditional economies; and health and education. The results of the research will be used to elaborate a series of best practices, with particular focus on consultation and participation;

(b) **Promotion of the rights of indigenous populations/communities in Africa through the documentation and discussion of relevant legal and constitutional provisions**: a collaborative project will be undertaken with the Working Group on Indigenous Populations/Communities of the African Commission on Human and Peoples' Rights to conduct research on legislative and constitutional provisions and their implementation in a series of African countries. A project steering committee has been created to manage the collaboration between the African Commission, PRO 169 and implementing institutions. The main outcome of the research will be a comprehensive document and database of relevant African legislation to be disseminated to and used by all actors engaged in the promotion and protection of indigenous and tribal peoples' rights in Africa;

(c) **Capacity-building for dialogue in South Asia**: this component will focus on facilitating dialogue on indigenous issues in Bangladesh, India, Nepal and Pakistan involving Governments, indigenous institutions and civil society organizations. Dialogue networks will enable the development of properly targeted training for indigenous organizations, government institutions and civil society organizations. Where ILO Convention No. 107 is in force (in Bangladesh, India and Pakistan), it will be used as a platform for dialogue and capacity-building activities to raise awareness of indigenous issues. Additionally, a focus on decent work will identify the main barriers to employment and the economic development of indigenous and tribal peoples in the areas concerned.

Training of staff

23. PRO 169 organized a training seminar in Turin, Italy, in September 2005 for key staff from ILO headquarters and field offices and bilateral and multilateral agencies. The aim of the seminar was to build the capacity of participants to promote and apply the principles of ILO Convention No. 169. Indigenous resource persons were present to share their experiences with the participants. Beginning in 2006, further training seminars will be organized at the regional level in Latin America, Asia and Africa.

Technical seminar

24. In October 2005, ILO hosted a technical seminar for representatives from United Nations departments, agencies of the United Nations system and donors, giving different agencies faced with similar challenges in the field of indigenous rights the opportunity to share their experiences. The event was also an opportunity to strengthen inter-agency relationships and to identify areas for future collaboration and joint action.

PRO 169 activities in Nepal

25. In Nepal, PRO 169 carried out the following activities:

(a) PRO 169 launched two publications in Nepal in December 2005, *Convention No. 169 and Peacebuilding in Nepal*, and *Indigenous Peoples, Poverty Reduction and Conflict in Nepal*;

(b) Representatives of PRO 169 participated in the first regional consultation on decent work for indigenous peoples, held in Dharan, and in a seminar on the human rights of indigenous nationalities in Nepal. Both proved effective platforms to raise awareness about the work of ILO for indigenous and tribal peoples in Nepal and to address issues of social exclusion and peacebuilding;

(c) A microstudy on achieving the MDGs is being carried out in an endangered Janajati group in the northern part of the Dolakha district (see paras. 66 and 67 below);

(d) PRO 169 is organizing two advocacy workshops to raise the profile of indigenous women's issues in Nepal, one for government and national NGOs (Nepali) and the other for indigenous NGOs, to take place in 2006.

Projects in Cambodia and Cameroon

26. PRO 169 has undertaken case studies in Cambodia and Cameroon on the relevance of poverty reduction strategy papers for indigenous tribal peoples, and their participation in the poverty reduction strategy paper process. During 2005, the studies were finalized and launched at the international level (at the fourth session of the Forum) and in their respective countries. For information on the recommendations contained in the reports and on follow-up work, see paragraphs 53 to 60 below.

Cambodia

27. A workshop was held in May 2005 to launch a project on the rights-based approach to indigenous peoples' development in Cambodia. The project aims to improve the legislative and policy environment for indigenous and tribal peoples in Cambodia and to strengthen their representative organizations to play a more active role in decision-making and development processes. The workshop involved consultations with 27 indigenous representatives from 14 provinces, all of whom met and prepared for a day prior to meeting with other stakeholders and with bilateral and multilateral donors.

28. As a result of the workshop, the national project is now focusing on two main objectives: the improvement of the policy environment concerning indigenous and tribal peoples in Cambodia and the facilitation of effective implementation of

legislation; and the strengthening of indigenous and tribal peoples' representative organizations to play a more active role in decision-making and development processes.

Cameroon

29. PRO 169 and the subregional office of ILO in Yaoundé have been working on indigenous issues for over two years. In follow-up to this work, a national workshop was held in Cameroon from 15 to 17 June 2005. The workshop aimed to facilitate a constructive national dialogue among indigenous and tribal peoples, state actors, trade unions and other concerned actors and to achieve a common understanding of the working and living conditions of indigenous and tribal peoples in Cameroon.

30. The workshop also built on the recommendations of two research projects: a study on the legal framework for the protection of the rights of indigenous peoples in Cameroon (a participatory undertaking comprising desk study and consultations with indigenous representatives, government officials and non-governmental organizations in three provinces of Cameroon);[2] and a study on indigenous participation in the development of the national poverty reduction strategy and indigenous perceptions of poverty.[3] As the first national workshop to bring together representatives of all the groups who consider themselves as indigenous and tribal peoples in Cameroon, this in itself was a significant event.

31. In follow-up to the recommendations of the consultative workshop, a two-year capacity-building project is currently being designed.

Millennium Development Goals: micro case studies

32. Micro case studies are currently being undertaken in Bolivia, Cambodia, Cameroon, Guatemala and Nepal. In each country, research focuses on analysing the micro- and macro-scale factors in individual indigenous communities or villages that need to be addressed in order to achieve MDGs. Along with the poverty reduction strategy papers, the studies contribute to the work of the Forum in its task to advise the United Nations system on the implementation of the MDGs for indigenous and tribal peoples.

Project to examine indigenous customary law in Morocco

33. Research into the question of how Moroccan indigenous customary law can be integrated into mainstream national legislation in order to consolidate the participation of indigenous peoples in the social and development processes that affect them is the outcome of a collaborative project by Tamaynut, an indigenous peoples' association in Morocco, and ILO.

34. The immediate objectives of the study are: to take customary law into account in national legislation in diverse juridical domains and to facilitate a discussion at the national level on the creation of systematic procedures that allow for the participation of the economic, social and cultural organizational structures of Amazigh communities in programmes, projects or politics concerning the development of their lands.

35. To that end, a compendium of Amazigh customary laws, to be published in Amazigh, Arabic and French, and a comparative analysis of national legislation and

customary law will form the platform for dialogue among the Government, indigenous peoples, the media, NGOs and other concerned parties.

Activities of the International Labour Organization in South America

First International Symposium on Isolated Indigenous Peoples of the Amazon Region

36. ILO provided support to Brazil's National Indian Foundation in the organization of the first International Symposium on Isolated Indigenous Peoples of the Amazon Region. The Foundation proposed the holding of the symposium to establish a dialogue on the formulation of common protection policies for isolated or uncontacted indigenous groups in the Amazon region.

Training on national and international indigenous rights law for indigenous leaders and lawyers

37. The two-and-a-half-day training was held at the ILO office in Brasilia in July 2005 to promote a better understanding of national and international procedures and consolidate and strengthen the capacity of indigenous peoples to defend their own rights and interests. The training will be repeated in 2006.

C. The ILO-INDISCO programme

38. The ILO-Interregional Programme to Support Self-Reliance of Indigenous and Tribal Peoples through Cooperatives and Self-Help Organizations (INDISCO) programme continues its efforts to alleviate poverty and strengthen the economies of indigenous and tribal peoples in Africa and Asia. Focus remains on strengthening livelihoods and supporting participation in development processes through their own institutions, anchored in their own cultures and needs. Efforts to mainstream gender equality are made at all levels of implementation both in its work on employment policies and programmes and capacity-building training for indigenous communities.

39. The experience of INDISCO shows that poverty reduction and development among indigenous and tribal peoples must be based on a fundamental respect for their cultures and own perceptions of poverty. Community development projects in the Philippines expanded in 2005, with a stronger focus on linking grass-roots experiences with policy development. One of the major challenges is to strengthen the participation of indigenous peoples in this process and to promote the inclusion of indigenous peoples' aspirations and needs in national employment policies and programmes.

40. In the future, community development initiatives in the Philippines, Viet Nam and Cambodia will focus on strengthening indigenous economies and linking local participation with national policy. Consultative processes and mechanisms for dialogue on employment and poverty reduction will be strengthened, maintaining respect for gender equality.

D. In-focus programme to promote the International Labour Organization Declaration on Fundamental Principles and Rights at Work

41. Under the ILO Declaration on Fundamental Principles and Rights at Work, two major activities have been undertaken that are of direct relevance to indigenous tribal peoples: the ethnic audit of poverty reduction strategy paper processes in 14 countries (see paras. 49-52 below) and research on indigenous peoples and forced labour in Latin America.

Special action programme to combat forced labour

42. In 2005, the special action programme to combat forced labour published three studies that documented coercion and debt bondage against indigenous peoples in rural areas of Bolivia, Paraguay and Peru. The studies, which were discussed in a series of workshops with Governments and with workers' and employers' organizations, led to important policy developments. Both Bolivia and Peru have now set up national commissions mandated to develop effective policies against forced labour practices, while Paraguay has announced that it will open an office of the Ministry of Labour in the Chaco region. A new one-year ILO project, funded by the Government of Sweden, will provide an opportunity to support those developments and to scale up cooperation on the larger issue of discrimination against indigenous people in the labour market. The project seeks to promote an integrated approach to the fight against forced labour and discrimination, connecting anti-forced-labour initiatives with broader social policies aimed at combating ethnic discrimination and promoting ethnic justice in the world of work. Additional information on the relevance of this issue to indigenous and tribal peoples can be found in section V below.

E. Inter-agency activities

43. In addition to regional and national inter-agency cooperation, ILO has been actively involved in ongoing work at the international level on indigenous issues. ILO contributions in 2005 include:

(a) Hosting a technical seminar in October 2005 on indigenous and tribal peoples issues for representatives from United Nations system agencies and departments and donors;

(b) Making a substantial contribution to the International Expert Workshop on the Millennium Development Goals, Indigenous Participation and Good Governance;

(c) Participating in the Inter-Agency Task Force on Indigenous Women;

(d) Making recommendations on priorities for a new International Decade for the World's Indigenous People;

(e) Hosting fellows from the fellowship programme of the Office of the United Nations High Commissioner for Human Rights in June and July;

(f) Participating in the meeting of the inter-agency support group on indigenous issues held in Panama City in September.

V. Information and suggestions regarding the special theme of the fifth session, "Millennium Development Goals and indigenous peoples: redefining the Goals"

A. General contribution of the International Labour Organization to the Millennium Development Goals

44. The goal of decent work for all and the pledges contained in the Millennium Declaration go hand-in-hand. ILO works closely with other multilateral organizations and civil society in support of the Millennium Declaration. ILO also stresses the importance of country ownership of decent work programmes and poverty reduction strategies through which the poorest countries are working towards the MDGs. This is manifest through the participation of ILO in formulating national poverty reduction strategy papers and decent work programmes in the poorest countries. Increasingly, it is being recognized that poverty reduction strategy papers also need to take into account the diverse needs of peoples within the national context, since groups such as indigenous and tribal peoples are often disproportionately subject to chronic poverty and hunger. Further information on the general contribution of ILO to the MDG process is available at the website of the ILO Policy Integration Unit (http://www.ilo.org/bureau/integration/index.htm).

45. In a review of the impact of the engagement of ILO with poverty reduction strategy papers, its Committee on Employment and Social Policy commented in November 2005 that the organization has now consolidated an approach and methodology to working on poverty reduction strategy papers that will continue to be grounded in capacity-building for constituents and maximizing the broader benefits from engagement in poverty policy dialogues. ILO will now need to become increasingly active in helping to evaluate poverty reduction strategy papers, globally and at the country level, in seeking to influence budgetary processes, advocating an employment-based growth strategy and the inclusion of the rights of sometimes neglected groups, such as agricultural and informal economy workers, migrants, indigenous and tribal peoples (see http://www.ilo.org/public/english/standards/relm/gb/docs/gb294/pdf/esp-5.pdf).

46. While the core institutional inputs of ILO to the MDG process come under the decent work mandate of the Policy Integration Unit (with specific focus on decent work for youth), many ILO programmes that address indigenous and tribal peoples intersect with MDGs, and research from a broad spectrum of departments can be brought to bear on the question of how to redefine the Goals with a view to promoting the inclusion of indigenous tribal peoples.

47. The report submitted to the Forum at its fourth session (E/C.19/2005/4/Add.5) dealt uniquely with Millennium Development Goals 1 and 2. ILO progress in those two areas will be reported below, with a specific focus on the question of how the Goals can be redefined to address the particular challenges facing indigenous and tribal peoples. New information regarding the contribution of ILO to an understanding of Goals 3, 7 and 8 will also be presented, with particular emphasis on the final Goal.

B. Follow-up on Millennium Development Goal 1: eradication of extreme poverty and hunger

48. Several ILO departments address the need to develop measures for the participation of indigenous and tribal peoples in development, poverty reduction efforts and decent work initiatives; their activities are set out below.

Ethnic audit of selected poverty reduction strategy papers in fourteen countries

49. The audit was carried out to ascertain whether the rights and needs of indigenous and tribal peoples had been taken into account, given that the poverty reduction strategy paper process was meant to reach out to traditionally marginalized groups.

50. Among the main findings of the study were significant regional differences in the visibility of indigenous and tribal issues in the poverty reduction strategy papers. The debate is still at an incipient stage in Africa. In Latin America, indigenous poverty and its underpinning causes are identified and discussed in the poverty reduction strategy papers, although implementation of measures to address the situation may be lagging behind. In Asia, concern for the unequal development of indigenous and tribal peoples swings from genuine concern, to passing attention, to total neglect, as evidenced by the following:

(a) Only 2 out of the 14 poverty reduction strategy papers successfully mainstreamed indigenous and tribal issues;

(b) Whether the targeted action is directed towards poor areas where indigenous peoples live or at the indigenous and tribal communities themselves, there is no guarantee that the structural causes of indigenous poverty are being addressed;

(c) There is a lack of reliable, accurate and up-to-date statistics disaggregated by ethnic origin;

(d) Only a few poverty reduction strategy papers examine the gender dimensions and dynamics of indigenous and tribal impoverishment.

51. The participation of indigenous and tribal peoples in the consultations related to the poverty reduction strategy papers (if any) is inadequate for numerous reasons including: invisibility of their issues in national development agendas; lack of readily identifiable indigenous organizations; geographical remoteness and language barriers; and restrictive eligibility requirements for participating in the consultations.

52. The following points are highlighted as vital to the future inclusion of indigenous peoples in the poverty reduction strategy paper processes:

(a) Identification of mechanisms that allow indigenous organizations to participate, for example, mapping of existing indigenous organizations;

(b) Identification of the most cost-effective mechanisms for including indigenous peoples at different levels of the consultation process to deal with different issues at different stages;

(c) Recognition of the fact that indigenous and tribal peoples do not constitute a homogenous group, and that, therefore, there is a need for different focus groups to cover different groups.

Inclusion of indigenous tribal peoples in poverty reduction strategy papers: case studies from Cambodia, Cameroon and Nepal

53. Case studies were undertaken in Cambodia, Cameroon and Nepal to complement the ethnic audit of poverty reduction strategy papers (see paras. 49-52 above). Although the three studies were conducted in very different contexts, it was found that indigenous peoples were not involved in a meaningful manner in the process of developing the poverty reduction strategy paper in any of the countries studied. In most cases, at the local level, indigenous representatives were not even aware of the existence of such a process.

Cambodia

54. The study in Cambodia[4] focused on indigenous peoples' perceptions of poverty. The current Cambodian poverty reduction strategy paper reflects the fact that the Government is becoming more aware of the social exclusion and political marginalization of ethnic minorities in Cambodia, but there is as yet no specific strategy to address the concerns of indigenous peoples.

55. Land for cultivation, land security and having enough food for the whole year were the most quoted priorities indigenous peoples in Cambodia have for their lives, reflecting the fact that indigenous communities today face competition for their ancestral lands with outsiders.

56. Cambodia has recently undergone a process of decentralization, and new administrative structures, such as village chief, commune, district and provincial authorities, impose different ways of decision-making that conflict with traditional collective structures by transferring instructions and orders from the top down.

57. The report makes practical recommendations for development collaboration with indigenous tribal peoples, and they are being followed up within the context of the ILO national project on indigenous peoples in Cambodia, including in training at the national and provincial levels.

Cameroon

58. The study in Cameroon[5] evaluated the level of participation of indigenous and tribal peoples in the elaboration and implementation of the country's poverty reduction strategy paper through a combined analysis of Government policies and information gained directly from consultation with indigenous and tribal peoples. The study concluded that their aspirations and rights are barely taken into account and that there is a risk that the application of the current unitary development model expressed in the poverty reduction strategy paper will actually result in their further impoverishment.

59. Recommendations for integrating indigenous peoples' concerns into Cameroon's poverty reduction strategy paper include:

(a) **In order that their views may be taken into account, consultations with indigenous and tribal peoples must be based on a recognition of their collective rights as peoples with specific cultures;**

(b) **Their modes of land and resource use must be taken into account;**

(c) **Poverty reduction strategy papers need to be based on reliable disaggregated data, collected on the bases of indigenous peoples own criteria for and indicators of poverty; appropriate studies need thus to be undertaken to better understand the specific aspirations of indigenous peoples;**

(d) **Indigenous and tribal peoples should be consulted on and participate actively in the definition of their development priorities;**

(e) **Traditional knowledge should be identified and integrated into poverty reduction strategies.**

60. The recommendations that are of direct relevance to ILO (notably training and dialogue building) are being followed up within the context of the current work of the organization in Cameroon.

Nepal

61. Nepal's poverty reduction strategy paper and the tenth five-year plan (2002-2007) are the same. This is the first strategy plan with exclusive focus on poverty reduction. Unfortunately, Nepal's 59 indigenous nationalities were not consulted during the formulation of the paper. The case study reveals the consequences of poor consultations in the strategy paper process: indigenous peoples are alienated from governance; there is a lack of ownership by indigenous peoples of Government/donor's programmes; and, above all, the participation of indigenous peoples in internal armed conflict is on the increase. The ILO activities outlined below aim to create opportunities for dialogue and the participation of indigenous tribal peoples in the national context.

Nepal's decent work programme: incorporating indigenous concerns

62. Nepal's poverty reduction strategy paper has opened the avenue for the promotion of decent work for indigenous nationalities. The Kathmandu Adivasi-Janajati Declaration on ILO Convention No. 169 and Peacebuilding in Nepal adopted in January 2005, made a specific recommendation to ILO to design, in conjunction with ILO constituents and indigenous nationalities, a decent work plan for indigenous nationalities in a public-private partnership framework. ILO is responding to the demands and concerns of indigenous nationalities by facilitating continuous dialogue among themselves and the Government, offering training and capacity-building on indigenous rights and identifying the main elements of a "Decent work agenda" for indigenous nationalities.

63. Preliminary consultations have highlighted some ways to promote decent work for indigenous and tribal peoples:

(a) Creating sustainable employment through entrepreneurship and skills training for traditional occupations;

(b) Facilitating initiatives through cooperatives/self-help groups for traditional livelihoods;

(c) Working with indigenous nationalities' traditional labour organizations;

(d) Working with trade unions and focusing on rights issues, especially access to natural resources and forest, land and citizenship certificates.

C. Follow up on Millennium Development Goal 2: achievement of universal primary education

International Programme on the Elimination of Child Labour and Project to Promote International Labour Organization Policy on Indigenous and Tribal Peoples: guidelines

64. Indigenous children are disproportionately forced to perform the worst forms of child labour; specific approaches are needed to address their needs and rights effectively. With that objective in mind, three national workshops were organized in the Philippines, Kenya and Guatemala, bringing together ILO staff, partners and indigenous representatives to identify country-specific concerns and provide recommendations for child labour programmes with indigenous tribal peoples. For example, the workshop in Kenya in October 2005 explored the specific vulnerabilities of children belonging to pastoralist and hunter-gatherer communities and identified a number of challenges to combating child labour for those groups.

65. As a result of research in 2005, PRO 169 and the International Programme on the Elimination of Child Labour (IPEC) are developing practical guidance notes for ILO staff and partners on how to combat child labour among indigenous peoples.

Study by the International Programme on the Elimination of Child Labour: social exclusion and child labour in Nepal, with special reference to Janajatis (indigenous nationalities)

66. Child labour exploitation is an alarming problem in Nepal where landlessness, illiteracy, exploitative labour relations and poverty are the basic long-term causes of child labour. For example, 58 per cent of children engaged in the worst forms of child labour come from landless families. The study explored the causes, effects and nature of discrimination against indigenous Janajati child labourers in Nepal in the context of their broader exclusion from national society.

67. The study clearly shows that Janajati child labour is a complex phenomenon interlinked with poverty, social exclusion and discrimination. It is clear that child labour is a political as well as a social problem, since the economic empowerment of the Janajati is hampered by their social exclusion, their non-representation in decision-making processes and their lack of access to resources, resulting from discriminatory Government policies. In addition, education is in the Nepali language, not their mother tongue, which alienates this indigenous group from the educational process. An approach that recognizes their rights and promotes social mobilization may be an important device for building awareness and bringing about positive change. Thus far, there has been no clear and inclusive policy of the Government or NGOs to address the subject of Janajati child labour, and their situation remains poorly documented in Nepal. There is a need for further research.

D. Millennium Development Goal 3: promote gender equality and empower women

68. ILO has identified gender as a cross-cutting issue in all of its programmes and activities concerning work and working conditions.

International Programme for the Elimination of Child Labour

69. Qualitative research on the gender dimensions of indigenous child labour has been carried out in several indigenous communities in Peru. Follow-up is under way on a study on child labour among Amazonian indigenous peoples, which aims to identify strategies that contribute to combating child labour among indigenous peoples through an evaluation of sociocultural and economic factors that determine the use of time of indigenous children.

Project to Promote International Labour Organization Policy on Indigenous and Tribal Peoples

70. PRO 169 has sought to encourage the participation and consultation of women in the decision-making processes that are an integral aspect of all the projects undertaken. In some instances, the lack of participation by women has necessitated project activities (within the framework of national projects) that are specifically directed at mainstreaming gender concerns into projects.

E. Millennium Development Goal 7: ensure environmental sustainability

71. The Network of Communitarian Tourism of Latin America is made up of rural and indigenous communities, institutions and technicians devoted to supporting the sustainable development of tourism and eco-business in Latin America while seeking compatibility among the objectives of economic efficiency, social equity and cultural identity. The Network strengthens community-based tourism by delivering a set of support services to local businesses that enable them to more effectively access new markets, improve the quality of their services and increase their competitiveness.

72. In 2005, the Network provided:

(a) Access to information and communication technologies to promote and commercialize nearly 200 community tourist destinations through its website, entitled the "Portal of living cultures" (see http://www.redturs.org);

(b) Knowledge and the sharing of experience through a regional consultation in Panama, where representatives of 10 countries adopted codes of conduct and a collective trademark to market their services.

73. The Network is also developing measures to assess the economic, social, cultural and environmental sustainability of community-based experiences in tourism and has carried out two studies to document the supply of community tourism services in Ecuador and other countries in Latin America. A policy paper on decent work and sustainable development with indigenous communities in Latin America will be published shortly.

74. In 2006, the Network will be continuing its capacity-building work for the sustainable development of eco-businesses in Latin America, for example, with training in tourism management in five countries and the publication of a manual for community tourism training.

F. Millennium Development Goal 8: partnerships for development

75. Since this goal is extremely broad, the ILO focus will be on work that promotes good governance with regard to indigenous and tribal peoples, in accordance with ILO Convention No. 169 and will demonstrate how ILO promotes those principles throughout the design and implementation of its own programmes and projects, and on issues related to partnerships with indigenous peoples.

Good governance and indigenous and tribal peoples: the main challenges

76. The final report of the United Nations Millennium Development Project (2005)[6] identifies governance failures as one of the four main reasons for shortfalls in achieving the MDGs and underlines the need for Governments to work with all constituencies and involve all population groups in decision-making processes. This belief was reiterated in the report of the Inter-Agency Support Group on Indigenous Issues on its 2004 session (see E/C.19/2005/2), which emphasizes that rights-based approaches to development and good governance are key to achieving MDGs for indigenous peoples and for attaining the broader goals of democratization and construction of more inclusive societies.

77. In addition to ILO Convention No. 169, a number of ILO instruments concerning the administration of labour in general, as well as the organization's instruments on discrimination, contain a series of provisions and principles for good governance. The basic approach is that indigenous peoples should have the benefit of the same rights and opportunities provided to the general population, while at the same time benefiting from special rights and measures to protect their institutions, culture, languages and lands.

ILO Convention No. 169 and good governance

78. ILO Convention No. 169 can provide a useful framework for dialogue, good governance and the inclusion of indigenous and tribal peoples in the decision-making and development processes that affect them. It puts special emphasis on the principles of consultation and participation, stipulating that Governments shall:

(a) Consult the peoples concerned through appropriate procedures and through their representative institutions (article 6.1 (a));

(b) Establish means by which indigenous peoples can freely participate at all levels of decision-making (article 6.1 (b));

(c) Establish means for the full development of indigenous peoples' own institutions and initiatives (article 6.1 (c)).

79. The provisions concerning consultation and participation are directly related to other provisions of the Convention that concern the development process, which stipulate that indigenous peoples have the right to:

(a) Decide their own priorities in the process of development as it affects their lives, beliefs, institutions, spiritual well-being and the lands they occupy or otherwise use;

(b) Exercise control over their own economic, social and cultural development; and

(c) Participate in the formulation and implementation of development plans which may affect them directly (article 7.1).

80. According to the Convention, the main responsibility for safeguarding the rights of indigenous and tribal peoples lies with Governments, but it also emphasizes that indigenous tribal peoples have their own social, economic and political institutions. Therefore, ensuring good governance would imply inclusive governance structures that provide the framework for recognition of both indigenous rights and their governance structures, which must be respected and strengthened in the process of development. Underlying the Convention is the importance of bringing parties together, by means of dialogue, so that they work together, for mutual benefit, in the development of a more inclusive society.

81. The main challenge that remains in the countries that have ratified ILO Convention No. 169 is the implementation of coherent and comprehensive mechanisms and legislative frameworks to deal with consultation and land rights issues. Consultation is often lacking, particularly in the exploitation of natural resources and in cases of mining and forestry activities on lands occupied or used by indigenous and tribal peoples. Improved procedures for consultation with indigenous and tribal peoples on matters pertaining to lands and resources, but also relating to a range of other questions, can help to substantially improve governance, leading to more sustainable development, as well as improved relations between indigenous and tribal peoples and States.

Current activities and strategies of the International Labour Organization relevant to the inclusion of indigenous and tribal peoples in Millennium Development Goal 8

82. All of the projects outlined in section IV above are relevant to furthering Millennium Development Goal 8, as understood in its broadest terms. For example, research on the extent to which legislation and constitutions in Africa protect the rights of the indigenous populations is a prerequisite for establishing steps towards good governance practices there. Similarly, research into Moroccan indigenous customary law and processes of dialogue building there are geared towards the harmonization of indigenous and dominant elements of national society. ILO will also be addressing the challenges that arise in the implementation of the principle of consultation at a subregional seminar in Guatemala in 2006, focusing on the responsibilities of countries in that region that have ratified ILO Convention No. 169.

83. As discussed in section I above, capacity-building is a primary concern for all ILO activities in this field and, as such, is an element of all its programmes. The goal of conflict resolution, where relevant, is also a major part of ILO national-level activities that connect Governments and indigenous tribal peoples. Developing indicators and disaggregated data for indigenous tribal peoples is currently a key

focus across United Nations agencies. ILO, with its statistics department, will be looking at ways to address this concern in 2007.

International Labour Organization and indigenous peoples: challenges of partnership for development

84. The concept of partnership is of vital importance to ILO in its work with indigenous and tribal peoples, and thus the principles of consultation and participation enshrined in ILO Convention No. 169 inform the working methodologies of the organization and are the key ways in which it strives to ensure that indigenous tribal people are involved in the development processes that affect them. However, dealing with Governments and with indigenous and tribal peoples' organizations of greatly differing organizational capacity is no small challenge.

85. In Cambodia, for example, organizational structures beyond the village level are constrained by a general lack of education, legal literacy and knowledge of the Khmer language, as well as by their physical inaccessibility. As a result, the participation of indigenous communities in any development project is limited to the village level, a situation that makes it difficult for ILO to work directly with traditional structures. In order to minimize this gap, ILO has entered into partnerships with NGOs on the ground that have significant experience in working in indigenous communities.

86. The need for such intermediate organizations is clear if one considers the mandate of ILO as an international organization whose added value lies in the area of its normative mandate and its capacity for policy work. Technical and research components are a necessary complement to those priorities, and entering into partnerships with implementing organizations is often essential to achieving those goals. Such partnerships often constitute an intermediate step to capacity-building of indigenous peoples themselves, since it creates a means of linkage among international, national and local level frameworks.

87. PRO 169 has supported a series of activities in Kenya aimed at strengthening the voice of pastoralists and hunter-gatherers and the organizations that represent them in relevant policy discussions, especially with regard to their participation in the constitutional review process. The challenges posed by those partnerships proved very different from those in Cambodia, and being of longer standing, they can already be evaluated.

88. In Kenya, the level of organization is relatively high, though somewhat fragmented. This seems to be due to geographical distance and lack of resources, which complicate the holding of organizational meetings and also contribute to conflicts of interest and power between different groups. Indigenous organizations are increasingly entering into partnership relations with NGOs.

89. Lessons learned from the networks that ILO has worked with include:

(a) Support from ILO allowed pastoralists and hunter-gatherers to: define a common position in the constitutional review process; draft papers on the most important substantial issues; have their representatives appointed to key positions in the process; have their main concerns reflected in the draft constitution; and communicate and consolidate their position through community consultations and training;

(b) Direct support of ILO to additional projects ensured: the involvement, to some degree, of youth and women in the process and a legitimizing function to an indigenous women's organization in subsequent approaches to other potential donors;

(c) The requirement imposed by most donors that funds to individual member organizations of the network be channelled through the hosting organization did not take into account the diversity on the ground and even created competing interests between individual member organizations.

90. Based on its experience in Cambodia and Kenya, ILO has concluded that the following are essential elements for effective and efficient partnerships with indigenous and tribal peoples:

(a) **Convergence of substantial objectives between the partners rather than separate institutional objectives;**

(b) **Focus should be placed on strengthening the influence and participation of indigenous peoples in policy- and decision-making processes that affect their lives, involving the diversity of actors that have influence on such processes;**

(c) **Capacity-building should be prioritized, and the conceptualization and design of such capacity-building should be viewed as a long-term process with a clear progression and benchmarks;**

(d) **Indigenous peoples, as well as Governments, agency staff and other relevant actors, must be involved in the capacity-building process in order to bridge the gaps from both sides;**

(e) **Joint assessments and evaluations with partners and understanding partnerships should be undertaken as shared learning processes;**

(f) **Experiences, lessons learned and sharing with other partners should be documented;**

(g) **Special attention should be paid to the participation of women and the discussion of gender issues with partners.**

Notes

[1] *Official Records of the Economic and Social Council, 2005, Supplement No. 23* (E/2005/43).

[2] See Barume, A. K., *Cadre légal pour la protection des droits des peuples indigènes et tribaux au Cameroun*, Project to Promote ILO Policy on Indigenous and Tribal Peoples, ILO Geneva, 2005 (French only).

[3] See Tchoumba, B., *Indigenous and Tribal Peoples and Poverty Reduction in Cameroon*, Project to Promote ILO Policy on Indigenous and Tribal Peoples, International Labour Office, Geneva, and Centre for Environment and Development, Yaoundé, 2005.

[4] Chhim, K., *Indigenous and Tribal Peoples and Poverty Reduction in Cambodia*, Project to Promote ILO Policy on Indigenous and Tribal Peoples, International Labour Office, Geneva and Centre for Advanced Study, Phnom Penh, 2005.

[5] See Tchoumba, B., *Indigenous and Tribal Peoples and Poverty Reduction in Cameroon*, Project to Promote ILO Policy on Indigenous and Tribal Peoples, International Labour Office, Geneva, and Centre for Environment and Development, Yaoundé, 2005.

[6] For the full text of the report, see http://www.unmillenniumproject.org.